

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

In the Official Action, the Examiner rejects claims 1-7 and 12-16 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,859,121 to Arima (hereinafter “Arima”).

In response, Applicants respectfully traverse the Examiner’s rejection under 35 U.S.C. § 102(e) for at least the reasons set forth below. However, independent claims 1 and 12 have been amended to clarify their distinguishing features. The amendment to claims 1 and 12 is fully supported in the original disclosure. Therefore, no new matter has been entered into the disclosure by way of the present amendment to claims 1 and 12.

In the electromagnetic drive type actuator of independent claims 1 and 12, currents are applied to wiring groups which are in parallel (e.g., wiring group 126a and wiring group 126b, or wiring group 126c and wiring group 126d) so as to flow in the same direction, thereby moving the movable plate in a direction parallel to the flat surface thereof.

That is, when currents are applied to the wiring groups (e.g., 126a and 126b) in an “ α to β ” direction, a movable plate (e.g., 112) is caused to move in the +x direction by the resulting Lorentz force. Conversely, when currents are applied in a “ β to α ” direction, the movable plate (e.g., 112) is moved in the -x direction by the resulting Lorentz force (see, e.g., page 10, line 12, to page 11, line 7 of the specification and FIG. 3).

Turning now to the prior art, Arima discloses an electromagnetic drive type actuator in which currents flowing in opposite directions are applied to a set of parallel wiring groups to rotate the movable plate.

That is, when currents 282 and 283 having the same magnitude and flowing in opposite directions are applied to one of the parallel wiring portions 280 and 281, a movable plate 122 is rotated about a rotational axis L₁ through a predetermined angle by the Lorentz force. On the other hand, when currents having the same magnitude and flowing in opposite directions are applied to parallel wiring portions 290 and 291, the movable plate 122 is rotated about a rotational axis L₂ through a predetermined angle by the Lorentz force. (See column 6, line 42, to column 7, line 12, and FIG. 6.)

Thus, the electromagnetic drive type actuator of independent claims 1 and 12 patentably distinguish over Arima at least in the direction in which the movable plate is moved.

That is, while the electromagnetic drive type actuator of independent claims 1 and 12 recite an actuator wherein currents flowing in the same direction are applied to a set of parallel wiring groups to move the movable plate in a direction parallel to the flat surface thereof, Arima relates to an actuator wherein currents having the same magnitude and flowing in opposite directions are applied to a set of parallel wiring groups to rotate the movable plate.

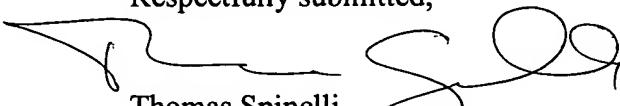
Therefore, not only do the electromagnetic drive type actuator of independent claims 1 and 12 patentably distinguish over Arima in structure, effect and advantage, Arima in no way discloses or suggests the features discussed above.

With regard to the rejection of claims 1-7 and 12-16 under 35 U.S.C. § 102(e), an the electromagnetic drive type actuator having the features discussed above and as recited in independent claims 1 and 12, is nowhere disclosed in Arima. Since it has been decided that “anticipation requires the presence in a single prior art reference, disclosure of each and every

element of the claimed invention, arranged as in the claim,”¹ independent claims 1 and 12 are not anticipated by Arima. Accordingly, independent claims 1 and 12 patentably distinguish over Arima and are allowable. Claims 2-7 and 13-16 being dependent upon claims 1 and 12, are thus at least allowable therewith. Consequently, the Examiner is respectfully requested to withdraw the rejection of claims 1-7 and 12-16 under 35 U.S.C. § 102(e).

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant’s attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,


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¹ Lindeman Maschinenfabrik GMBH v. American Hoist and Derrick Company, 730 F.2d 1452, 1458; 221 U.S.P.Q. 481, 485 (Fed. Cir., 1984).